



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: 09/964,927	Confirmation No.	: 2183
Applicants	: MCCARTHY, Wil SNYDER, Gary E.	Art Unit	: 2874
Filed	: 26 SEPTEMBER 2001	Examiner	: Daniel J. Petkovsek
Title	: Fiber incorporating quantum dots as programmable dopants		
Docket No.	: 027-040001US		
Customer No.	: 33486		

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

## FOURTH AMENDMENT

Sir:

This letter follows a request for continued examination of the referenced application filed 3 May 2004. An advisory action was issued by the Office on 22 March 2004 and a telephone interview was conducted with Examiners Healy and Petkovsek on 21 April 2004. The request for continued examination was accompanied by a request for limited suspension of action pursuant to 37 CFR § 1.103(c). Applicants have waived any additional time remaining during such period of limited suspension and request that this matter be taken up by the examiner upon receipt of this amendment and the accompanying declaration.

Amendments to the claims begin on page 2.

Remarks/arguments discussing the amendments and responding to the Office action  
begin on page 7.

06/24/2004 EAREGAY1 00000045 502885 09964927

01 FC:2201	86.00 DA
02 FC:2202	63.00 DA



06-21-04

Express Mail No. ER 535 542 031 US

2183#

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Applicant: : McCARTHY, Wil Art Unit : 2874  
SNYDER, Gary E.  
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CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the attached

1. Amendment (10 pages);
2. Declaration of Robert A. Metzger, Ph.D. Pursuant to 37 C.F.R. § 1.132 (3 pages);
3. Waiver of Limited Suspension of Action Requested Pursuant to 37 C.F.R. § 1.103(c) (1 page);
4. Fee Transmittal (1 page) (small entity) (in duplicate);
5. Certificate of Mailing by "Express Mail" (37 CFR 1.10); and
6. Return postcard,

all relating to the above-referenced application were deposited with the United States Postal Service on **17 June 2004** as "Express Mail," using an Express Mail label having the number noted at the top of this page and addressed to the Commissioner for Patents at the above address.

Mailer  
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Customer No. 33,486  
Heimbecher & Assoc., LLC  
Tel: 303-279-8888  
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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 149.00

**Complete if Known**

Application Number	09/964,927
Filing Date	26 September 2001
First Named Inventor	Wil McCarthy
Examiner Name	Daniel J. Petkovsek
Art Unit	2874
Attorney Docket No.	027-040001US

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number

502885

Deposit Account Name

Heimbecher &amp; Assoc., LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ ) 00.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	27	-20** = 7 X 9	= 63
Independent Claims	5	-3** = 2 X 43	= 86
Multiple Dependent Claims			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ ) 149.00				

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 00.00

**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Brad J. Hattenbach	Registration No. (Attorney/Agent)	42,642	Telephone	303-279-8888
Signature		Date	17 June 2004		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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